

## The Gazette



## of India

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## NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 27th February 1950 :—

S. No.	No. and Date	Issued by	Subject
1	No. I (11)-ITC/50, dated the 20th February 1950.	Ministry of Commerce . . . . .	Limitation of validity of Open General Licences XI and XV Concession Licences to the 31st May 1950.
2	No. LR-1 (108), dated the 21st February 1950.	Ministry of Labour . . . . .	Amendment to the Industrial Disputes (Central) Rules, 1947.
	No. LR-2 (273), dated the 21st February 1950.	Ditto . . . . .	Reference of an industrial dispute between certain banking companies and their employees to the Industrial Tribunal at Calcutta.
3	No. 8 (4)-T/B/49, dated the 22nd February 1950.	Ministry of Commerce . . . . .	Recommendations of the Tariff Board regarding protection to the soda ash industry.
	No. 8(4)-T/B/49, dated the 22nd February 1950.	Ditto . . . . .	Levy of duty on soda ash.
4	No. 1 (4)-ITC/50, dated the 23rd February 1950.	Ditto . . . . .	Imports from Japan.
5	No. F.10-2/49-T 2, dated the 24th February 1950.	Ministry of Education . . . . .	Establishment of a Board of Governors for the Eastern Higher Technical Institute, Hijli.
6	No. 1 (4)-ITC/50, dated the 24th February 1950.	Ministry of Commerce . . . . .	Licences for the import of Card Clothing and Card Sundries from Japan.
	No. 1 (13)-ITC/50, dated the 24th February 1950.	Ditto . . . . .	Import of Art Silk Yarn for January-June, 1950.
7	No. F. 120-I/50-L., dated the 24th February 1950.	Parliament of India . . . . .	Bill No. 12 of 1950.—A Bill to provide for preventive detention in certain cases and matters connected therewith.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

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## PART I—Section 1

### Government of India Notifications relating to Rules, Regulations and Orders and Resolutions (other than the Ministry of Defence)

#### PRIME MINISTER'S SECRETARIAT

New Delhi, the 24th February 1950

**No. 21/510/50-PMG.**—With effect from 1st January 1950, the post held by Shri M. O. Mathai, Private Secretary to the Prime Minister, has been designated "Special Assistant to the Prime Minister".

K. RAMAKRISHNAN,  
Assistant Private Secy.

#### MINISTRY OF HOME AFFAIRS

New Delhi, the 21st February 1950

**No. 8/1/49-Judl.**—In exercise of the powers conferred by section 7 of the Delhi Laws Act, 1912 (XIII of 1912), the Central Government is pleased to direct that the following amendment shall be made in the notification of the Government of India in the Ministry of Home Affairs No. 8/1/49-Judicial, dated the 8th January, 1949, namely:—

In the said notification, for modifications 1 and 2 the following modifications shall be substituted; namely:—

- "(1) References to the province or presidency of Bombay shall be construed as references to the Province of Delhi.
- (2) References to the provincial Government shall be construed as references to the Chief Commissioner."

E. C. GAYNOR, Dy. Secy.

#### MINISTRY OF FINANCE (COMMUNICATIONS)

New Delhi, the 24th February 1950

**No. 368-OIII(III)/50.**—The Central Government is pleased to direct that the following further amendment shall be made in the Post Office 5-year Cash Certificates Rules, namely:—

For items (ii) to (iv) in Note 2 below sub-rule (1) of rule 8 of the said Rules, the following items shall be substituted, namely:—

- |   |                 |
|---|-----------------|
| "(ii) Gazetted Head and Sub-Postmasters   | Up to Rs. 500.  |
| (iii) Non-Gazetted Head Postmasters and Sub-Postmasters in the Selection Grades . . . . . | Up to Rs. 250.  |
| (iv) Departmental Sub-Postmasters other than those mentioned in (iii) . . . . .           | Up to Rs. 100." |

**No. 369-OIII(III)/50.**—The Central Government is pleased to direct that the following further amendment shall be made in the Post Office 10-year Defence Savings Certificates Rules, namely:—

For items (ii) to (iv) in Note 1 below sub-rule (1) of rule 12 of the said Rules, the following items shall be substituted, namely:—

- |   |                 |
|---|-----------------|
| "(ii) Gazetted Head and Sub-Postmasters   | Up to Rs. 500.  |
| (iii) Non-Gazetted Head Postmasters and Sub-Postmasters in the Selection Grades . . . . . | Up to Rs. 250.  |
| (iv) Departmental Sub Postmasters other than those in (iii) . . . . .                     | Up to Rs. 100." |

**No. 370-III(III)/50.**—In exercise of the powers conferred by section 6 of the Post Office National Savings Certificates Ordinance, 1944 (XLII of 1944), the Central Government is pleased to direct that the following further amendment shall be made in the Post Office National Savings Certificates Rules, 1944, namely:—

Under the heading 'Rule 1—Encashment of holdings of a deceased person'.

For items (ii) to (iv) in clause (d) of rule (1), the following items shall be substituted, namely:—

- "(ii) Gazetted Head-Postmasters and Sub-Postmasters . . . . . Up to Rs. 500
- (iii) Non-Gazetted Head Postmasters and Sub-Postmasters in the Selection Grades . . . . . Up to Rs. 250.
- (iv) Departmental Sub-postmasters other than those mentioned in (iii) . . . . . Up to Rs. 100".

R. NARAYANASWAMI, Joint Secy.

## MINISTRY OF FINANCE (REVENUE DIVISION)

### INCOME-TAX

New Delhi, the 25th February 1950

**No. 26.**—It is notified for general information that the Central Government are pleased to approve the institution mentioned below for the purposes of sub-section (I) of Section 15-B of the Indian Income-tax Act, 1922 (XI of 1922).

Uttar Pradesh

948. Dharma Samaj College, Aligarh.

PYARE LAL, Dy. Secy.

## CENTRAL BOARD OF REVENUE

### CUSTOMS

New Delhi, the 25th February 1950

**No. 14.**—In exercise of the powers conferred by the last paragraph of section 96 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue is pleased to direct that the notification of the Government of Bengal No. 41-S.R., dated the 7th January 1922, shall be cancelled.

D. P. ANAND, Secy.

### EXCESS PROFITS TAX

New Delhi, the 25th February 1950

**No. 25.**—The following draft of an amendment which it is proposed to make in exercise of the powers conferred by section 27 of the Excess Profits Tax Act, 1940 (XV of 1940), is published as required by sub-section (3) of the said section read with sub-section (4) of section 59 of the Indian Income-tax Act, 1922 (XI of 1922), for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration by the Central Board of Revenue on or after the 13th March 1950.

Any objection or suggestion which may be received from any person with respect of the draft before the said date will be considered by the Central Board of Revenue.

#### Draft Amendment

To clause (xviii) of rule 3 of the Excess Profits Tax Rules 1940, the following proviso shall be added, namely—

"Provided that where the claim relates to relief under section 11 of the Act, it shall not be allowed unless it is made—

- (a) either within four years from the last day of the said financial year,
  - (b) or within one year from the date of assessment to excess profits tax in the taxable territories,
  - (c) or within one year from the date of assessment to excess profits tax in the other country referred to in section 11 of the Act,
- whichever is the later".

### INCOME-TAX

New Delhi, the 25th February 1950

**No. 27.**—In exercise of the powers conferred by sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922) the Central Board of Revenue directs that the

following further amendments shall be made in its Notification No. 19-I.T. dated the 12th February 1949, namely:—

In the schedule appended to the said notification, for the existing entries in columns 4 and 6 against item (44) of serial No. 71 the entries "Inspecting Assistant Commissioner of Income-tax, Range V, Calcutta" and "Commissioner of Income-tax, West Bengal" respectively shall be substituted.

**No. 28.**—The following draft of a further amendment to the Indian Income-tax Rules, 1922, which the Central Board of Revenue propose to make in exercise of the powers conferred by sub-section (1) of section 59 of the Indian Income-tax Act, 1922 (XI of 1922) is published as required by sub-section (4) of the said section, for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 3rd April 1950. Any objection or suggestion which may be received in respect of the said draft before the date specified will be considered by the said Board.

#### Draft Amendment

In rule 47 of the said Rules, for the words "Indian Fund Research Association" the words "Indian Council of Medical Research" shall be substituted.

PYARE LAL, Secy.

## THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

New Delhi, the 28th February 1950

**No. 7-CA(7)/49.**—In pursuance of Regulation 23 of the Chartered Accountants Regulations, 1949, and in partial modification of the Notification No. 7-CA(7)/49, dated 31st December 1949, the Council of the Institute of Chartered Accountants of India is pleased to direct that the First Examination under the said Regulations will be held on the 18th and 19th May and the Final Examination on 16th, 17th, 18th and 19th May 1950, and not on 17th and 18th and 15th, 16th, 17th and 18th, respectively, as previously notified.

2. The centres where the examinations are to be held and the timings will be the same as previously announced.

M. A. MULKY, Secy.

## MINISTRY OF COMMERCE

### PUBLIC NOTICES

#### IMPORT TRADE CONTROL

New Delhi, the 4th March 1950

SUBJECT:—Gross weight in licences

**No. 1(14)-ITC/50.**—Information regarding the gross-weight of goods proposed for import is no longer required and may therefore be omitted from applications for the import of goods in future.

SUBJECT:—Validity of O.G.L. XI and O.G.L. XV Concessional licences No. 1(11)-ITC/50, dated the 20th February 1950.

**No. 1(11)-ITC/50.**—Attention is drawn to the Public Notice issued on 20th February 1950, announcing that all O.G.L. XI and O.G.L. XV Concessional licences already issued, or to be issued will be valid only upto 31st May 1950.

2. An exception will be made in cases where an irrevocable letter of credit had already been opened prior to 20th February 1950 and where the period of validity of the credit as it stood immediately prior to that date extended beyond 31st May 1950. In such cases the licence will be valid to cover imports made under the irrevocable letter of credit in question even if this involves shipment after 31st May 1950.

#### CORRIGENDUM

#### IMPORT TRADE CONTROL

New Delhi, the 4th March 1950

**No. 1(9)-ITC/50.**—In sub-paragraph b(ii) under Note appearing at page 767, line 31, of the Public Notice No. 1(9)-ITC/50, dated the 9th February 1950, regarding Income-tax verification certificate—Registration of scheme for the first half of 1950 for the purpose of Import/Export licensing, issued in the *Gazette of India Extraordinary*, dated the 9th February 1950, for the word "as" the word "no" shall be substituted.

R. J. PRINGLE, Joint Secy.

## RESOLUTION

## TARIFFS

New Delhi, the 4th March 1950

**No. 37(1)-T.B./50.**—The Tariff Board have conducted an investigation into the conditions of the Calcium Chloride industry and enquired into the question of the continuance of protection to it. Their recommendations are as follows:—

- (1) the existing scheme of protection which is due to expire on March 31, 1950 should continue for a period of two years;
- (2) an early decision should be taken on the question of granting a long term extension of the lease of Kharaghoda bittorns to the Pioneer Magnesia Works, to enable the firm to proceed with its schemes of improvement;
- (3) imports of foreign calcium chloride should be allowed only after taking into consideration the quantum of indigenous production;
- (4) the Saurashtra Railways should assist the Pioneer Magnesia Works by granting all reasonable facilities to the transport of limestone;
- (5) the units engaged in the industry should take up with the appropriate railway authorities the question of reduction of freight on limestone and furnace oil.

2. Government accept recommendations (1) and (2).

3. Recommendation (3) will be implemented so long as import control is exercised for balance of payments considerations. As regards recommendations (4) and (5), the units concerned should approach the appropriate railway authorities.

## ORDER

ORDERED that a copy of this Resolution be communicated to all concerned, and it be published in the *Gazette of India*.

C. C. DESAI, Secy.

## MINISTRY OF INDUSTRY AND SUPPLY

New Delhi, the 20th February 1950

**No. 24.**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Kutch Colliery Control Order, 1950.

(2) It extends to the State of Kutch.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context—

(1) "Coal" includes coke;

(2) "colliery" means any mine or open working where the getting of coal is the principal object of the mining quarrying or other operations carried on therein, includes a plant for the production of coke;

(3) "dispose of" includes:—

(a) agreeing or offering to dispose of,

(b) the disposal of—

(i) ownership or any proprietary interest

(ii) the right to possession

(iii) possession, whether or not accompanied by any disposal of ownership or of any proprietary interest or of the right to possession.

(4) "Owner" and "agent" when used in relation to a colliery have the same meanings as in the Indian Mines Act, 1923.

3. The Central Government may consult the Coal Control Board constituted under the Colliery Control Order, 1944, on all matters connected with the working of this order in general and clauses 4, 6, 8, 10 and 11 in particular.

4. The Central Government may, by notification in the official gazette, fix the prices at which coal may be sold by colliery owners; and any such notification may fix different prices—

- (i) for different grades of coal and coke; and
- (ii) for different collieries.

5. (1) No colliery owner, and no person acting on behalf of a colliery owner, shall sell, agree to sell, or offer to sell coal at a price different from the price fixed in that behalf under clause 4.

(2) Where a colliery owner has, whether by himself or by another, entered into an agreement for the sale of coal at a price different from the price fixed in that behalf under clause 4, no coal shall be delivered in pursuance thereof unless the agreement is by mutual consent so revised as to bring the price into conformity with the price fixed under clause 4.

6. (1) Where a colliery owner has signified to the Deputy Coal Commissioner (Distribution) in writing his willingness to sell direct to consumers and an allotment is made by the Deputy Coal Commissioner (Distribution) to a consumer with his consent for such direct sale, the coal shall be delivered to the consumer at the price fixed under clause 4, and no commission or other charges shall be paid in addition, except that where a broker is employed, brokerage not exceeding six annas per ton may be paid by the colliery owner to the broker.

(2) Where a consumer purchases coal through a *del credere* agent, such agent shall not, on the sale of such coal, charge or receive from the consumer a margin over the price fixed under clause 4 which exceeds:—

"(a) one rupee per ton in the case of coal; or

"(b) one rupee eight annas per ton in the case of soft coke; or

"(c) two rupees eight annas per ton in the case of hard coke."

and if, in any such transaction as aforesaid, a broker is employed or the *del credere* agent himself serves as a broker, a brokerage not exceeding six annas per ton may be paid by the colliery owner to the broker or, as the case may be, to the *del credere* agent.

(3) Where in any transaction governed by sub-clause (1) or (2) more than one broker or *del credere* agent is employed, the total of the brokerages or margins charged in respect of the transaction shall not exceed the maximum prescribed in the said sub-clauses and shall be divided between the brokers or agents in such proportion as may be agreed upon.

(4) If any question arises whether a person is a *del credere* agent or a broker or both *del credere* agent and broker in respect of any transaction, it shall be referred to the Deputy Coal Commissioner (Distribution) whose decision shall be final.

(5) Nothing in this clause shall apply in relation to a transaction involving less than one wagon load of coal.

7. The Central Government may, by notification in the official gazette, require every colliery owner to submit, or cause to be submitted by the agent or manager of the colliery, to the Coal Commissioner with the Government of India and to the Chief Inspector of Mines in India such monthly returns, in such forms, and so as to reach them by such dates as may be specified in the notification.

8. The Central Government may from time to time issue such directions as it thinks fit to any colliery owner regulating the disposal of his stocks of coal or of the expected output of coal in the colliery during any period, including directions as to the person or class or description of persons to whom coal shall or shall not be disposed of, the order of priority to be observed in such disposal, and the stacking of coal on Government account.

9. Notwithstanding any contract to the contrary every colliery owner to whom a direction is given under clause 8—

(i) shall dispose of coal in accordance therewith;

(ii) shall not dispose of coal in contravention thereof.

10. (1) Where a colliery owner has coal available for disposal not covered by the directions issued under clause 8 or where wagons are not available for despatch in accordance with those directions, the colliery owner may, with the general or special permission of the Central Government, stack such coal on Government account.

(2) Where any coal is stacked on Government account under sub-clause (1), or otherwise, there shall be paid to the colliery owner, in addition to the price payable for

the coal, a sum for stacking at such rates as may be determined by general or special order of the Central Government.

11. The Central Government may issue such directions as it thinks fit to any colliery owner prohibiting or limiting the mining or production of any grade of coal and the colliery owner shall comply with the directions.

12. No colliery or group of collieries which is or may hereafter be worked as a single mining concern shall be sub-divided and worked in separate parts except with the previous permission of the Central Government and in accordance with such directions as the Central Government may, at the time of granting the permission or subsequently, give to the owner or owners concerned.

13. Any officer authorised by the Central Government in this behalf may, with a view to securing compliance with this Order—

- (i) require any colliery owner or his agent to give any information in his possession relating to the production of coal in the colliery;
- (ii) inspect or cause to be inspected any mine plans in the possession of any colliery owner or agent;
- (iii) enter and inspect any colliery.

14. No colliery shall be opened and no colliery the working whereof has been discontinued over a period exceeding two months, shall be reopened except with the previous permission of the Central Government and in accordance with such directions as the Central Government may at the time of granting the permission or subsequently, give to the owner or owners concerned.

15. The functions of the Central Government under clauses 8, 11, 12, 13 and 14 shall be exercisable also by the Coal Commissioner with the Government of India, the Deputy Coal Commissioner (Distribution) and the Deputy Coal Commissioner (Production).

B. K. ACHARYA, Dy. Secy.

*New Delhi, the 27th February 1950*

**No. 87/2-Tex.1/48.**—In para. 2 of the Government of India, Ministry of Industry and Supply, Resolution No. 87/2-Tex.1/48, dated the 5th June 1948, entry No. 3 regarding Sir John Greaves in Committee No. 3, shall be deleted and entry Nos. 4 and 5 shall be renumbered as 8 and 4 respectively.

B. K. KAUL, Dy. Secy.

#### RUBBER CONTROL

*New Delhi, the 27th February 1950*

**No. 17(8)-I(VI)/49.**—In exercise of the powers conferred by section 25 of the Rubber (Production and Marketing) Act, 1947 (XXIV of 1947), the Central Government is pleased to direct that the following amendment shall be made in the Rubber (Production and Marketing) Rules, 1947, namely:—

In rule 28 of the said Rules, after the first paragraph relating to non-official members, the following paragraph shall be inserted, namely:—

“A member who travels by air in connection with the work of the Board, may, if he chooses, draw one actual fare in lieu of the mileage allowance admissible by rail, plus daily allowance at the rates admissible to him”.

K. RAM, Dy. Secy.

#### MINISTRY OF AGRICULTURE

##### AGRICULTURE

*New Delhi, the 28th February 1950*

**No. F.6-1/50-PPS.**—In exercise of the powers conferred by sub-section (1) of Section 8 of the Destructive Insects and Pests Act, 1914 (II of 1914), the Central Government is pleased to direct that the following further amendment shall be made in the order published with the notification of the Government of India in the late Education, Health

and Lands Department, No. F.320/35-A, dated 20th July 1936, namely:—

After rule 14 of the said order, the following rule shall be inserted, namely:—

“14A. Sunflower seed shall not be imported into any Part A State or Part C State from Argentine and Peru by means of letter or sample post or as passengers' accompanied baggage or by any other means.”

P. M. DAS GUPTA, Dy. Secy.

#### MINISTRY OF HEALTH

*New Delhi, the 25th February 1950*

**No. F.4-2/50-DS.**—In pursuance of sub-sections (1) and (2) of section 7 of the Drugs Act, 1940 (XXIII of 1940), the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Health No. F.I-8/47-D(II), dated the 13th September 1948, constituting the Drugs Consultative Committee, namely:—

In the said notification, under the heading “*Nominated by Provincial Governments*” for the entry “(2) Dr. K. V. Venkataraman, M.D., Head of the Department of Biological Control and Government Analyst (Drugs Special), King Institute, Guindy”, the following entry shall be substituted, namely:—

“(2) Dr. J. C. David, M.B., B.S., Ph.D. (Edin.), Provincial Drugs Controller and Deputy Surgeon-General, Madras.”

J. N. SAKSENA, Under Secy.

#### MINISTRY OF EDUCATION

*New Delhi, the 23rd February 1950*

**No. F.5-8/50-T.1.**—In partial modification of paragraph 2 of the Notification of the Government of India in the late Department of Education, Health and Lands No. F.105-44/48-E, dated the 3rd February 1944, the Central Government is pleased to direct that the Pre-Engineering Examination Board to conduct the final examination of students undergoing the Pre-Engineering Course at the Delhi Polytechnic shall be constituted, with headquarters at Delhi, as follows:—

1. President of the Association of Principals of Technical Institutions (India)—*Ex-Officio* Chairman.
2. Honorary Secretary, Association of Principals of Technical Institutions (India).
3. Principal of a recognised Engineering College nominated by the Association of Principals of Technical Institutions (India).
4. Dean of the Faculty of Science, Delhi University.
5. President of the Institution of Engineers (India) or his representative.
6. Principal, Delhi Polytechnic.
7. A representative of the All India Council for Technical Education.

2. The orders contained in this notification shall come into force with effect from the 24th February 1950.

P. N. KIRPAL, Dy. Secy.

*New Delhi, the 22nd February 1950*

**No. F.59-80/49-D.3.**—In exercise of the powers conferred by sub-section (2) of section 8 of the Provident Funds Act, 1925 (XIX of 1925), the Central Government is pleased to direct that the provisions of the said Act shall apply to the Provident Fund established for the benefit of the members of the teaching and clerical staff of the College of Commerce, Delhi.

**No. F.59-80/49-D.3.**—In exercise of the powers conferred by sub-section (3) of Section 8 of the Provident Funds Act, 1925 (XIX of 1925), the Central Government is pleased to direct that the following public institution shall be added to the Schedule annexed to the said Act, namely:—

“The College of Commerce, Delhi.”

H. S. VERMA, Under Secy.

## MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 24th February 1950

**No. 473-TG/6.**—In exercise of the powers conferred by clauses (f) and (g) of sub-section (1) of section 47 of the Indian Railways Act, 1890 (IX of 1890), read with the notification of the Government of India in the late Department of Commerce and Industry, No. 801, dated the 24th March 1905, and in partial modification of the Railway Board's Notifications No. 473-TG, dated 13th January 1948 and 20th May 1948, the Railway Board have authorised the amended rule being brought into force on the Railways specified in column 1 of the schedule here-to annexed from the dates in respect of goods and coaching traffic specified against each such railway in columns 2 and 3 respectively of the said schedule.

## THE SCHEDULE

1 Railway	2 In respect of Goods Traffic	3 In respect of Coaching Traffic
Assam . . . . .	1-2-1948	21-6-1948
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G. I. P. . . . .	1-2-1948	1-2-1948
M. & S. M. . . . .	20-1-1948	23-6-1948
O. T. . . . .	15-2-1948	28-4-1948
S. I. . . . .	20-1-1948	27-5-1948

New Delhi, the 25th February 1950

**No. F(X)II-49/TX-21/7-I.**—In exercise of the powers conferred by section 4 of the Railways (Local Authorities' Taxation) Act, 1941 (XXV of 1941), the Central Government is pleased to direct that the following amendment shall be made in the notifications of the Government of India in the late Railway Department (Railway Board) No. 2404-F., dated 2nd January 1924 and No. 3672-2-F., dated 14th February 1929, namely:—

In the Schedule annexed to the Notification No. 2404-F., dated 2nd January 1924, the entry relating to the Masulipatam Municipal Council shall be omitted and in column 2 of Schedule I annexed to the Notification No. 3672-2-F., dated 14th February 1929, the words 'General property tax' shown against Masulipatam Municipality shall be omitted.

**No. F(X)II-49/TX-21/7-II.**—In pursuance of sub-section (1) of section 3 of the Railways (Local Authorities' Taxation) Act, 1941 (XXV of 1941) the Central Government is pleased to declare that the Administration of the Madras and Southern Mahratta Railway shall be liable to pay, in aid of the funds of the local authority set out in column I of the Schedule annexed hereto, the taxes specified in column II thereof.

## SCHEDULE

Local Authority I	Tax II
Masulipatam Municipality	General property tax and Education tax.

**Explanation.**—In this schedule (i) General property tax means so much of the property tax levied under clause (a) of sub-section (1) of section 81 of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), as comprises a tax for general purposes and (ii) Education tax is the tax levied as a surcharge on property tax in accordance with section 84 of the Madras Elementary Education Act, 1920 (Madras Act VIII of 1920).

B. S. RAMASUBBAN, Secy.

## MINISTRY OF TRANSPORT

PORTS

New Delhi, the 27th February 1950

**No. 19-P(13)/40.**—In exercise of the powers conferred by clause (k) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), the Central Government is pleased to direct that the following amendment shall be made to the Cochin Harbour Craft Rules, 1947, namely:—

In rule 29 of the said Rules,—

(a) after the words and figures "Inland Steam Vessels Act, 1917", the words and figures "Indian Merchant Shipping Act, 1923, or the Merchant Shipping Act, 1894," and the words and figures "Indian Merchant Shipping Act, 1923", wherever they occur, the words "or under such regulations as the Central Government may, from time to time, prescribe" shall be inserted;

(b) in sub-clause (b) of clause (i) of sub-rule (1), after the words "aforesaid Acts", the words "or regulations" shall be inserted.

**No. 19-P(13)/40.**—In pursuance of sub-rule (8) of rule 29 of the Cochin Harbour Craft Rules, 1947, the Central Government is pleased to authorise the Principal Officer, Mercantile Marine Department, Madras District to grant certificates under the said rule and to prescribe the following fees for the grant of such certificates, namely:—

	Rs.
First class master's certificate . . . . .	16/-
Second class master's certificate . . . . .	6/-
Syrang's certificate . . . . .	4/-
Second class Engine-driver's or second class motor Engine-driver's certificate . . . . .	4/-
First class Engine-driver's or first class motor Engine-driver's certificate . . . . .	10/-
Engineer's or motor engineer's certificate . . . . .	12/-

J. K. ATAL, Dy. Secy.

## MINISTRY OF COMMUNICATIONS

POSTS AND TELEGRAPHS

New Delhi, the 25th February 1950

**No. T-30-7/49.**—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Telegraph Rules, 1932, namely:—

In the said Rules—

I. In rule 163—

(a) In clause (3), the words "by the Telegraph Check Office" shall be omitted.

(b) For clause (4), the following clause shall be substituted, namely:—

"(4) Accounts for such telegrams and fees shall be rendered monthly or fortnightly, as the case may be, by the Officer-in-Charge of the Telegraph Check Office, Calcutta or by the Officer-in-Charge of the telegraph office, according as they are payable by the addressees or the senders of the telegrams. The bills shall be paid within one week of the date on which they are received."

II. In the second proviso to rule 388, for the words and figures "in rule 86", the words and figures "in rule 163" shall be substituted.

V. K. R. MENON, Secy.

## MINISTRY OF WORKS, MINES AND POWER

New Delhi, the 23rd February 1950

**No. P.104(1).**—In exercise of the powers conferred by section 4 and sub-section (1) of section 29 of the Petroleum Act, 1934 (XXX of 1934), the Central Government is pleased to direct that the following further amendments shall be made in the Petroleum Rules, 1937, the same having been previously published as required by sub-section (2) of section 29 of the said Act, namely:—

In the said Rules—

(1) In sub-rule (3) of rule 118, sub-rule (2) of rule 120, sub-rule (8) of rule 121, sub-rule (3) of rule 125, sub-rule (2) of rule 126, sub-rule (2) of rule 162 and sub-rule (1) of rule 163, for the words "one rupee", the words "rupees two" shall be substituted.

(2) In rule 127, for the words "three rupees", the words "rupees five" shall be substituted.

(3) For sub-rule (2) of rule 103, the following sub-rule shall be substituted, namely:—

"(2) The fees for comparing a privately owned test apparatus with the Standard Test Apparatus shall be as follows:—

	Rs.
Abel Flash Point Apparatus or Pensky-Martens Apparatus	45
Barometer	15
Thermometer	15"

(4) In rule 104—

(a) In sub-rule (1) for the words "five rupees", the words "rupees ten" shall be substituted, and for the words and figures "Rs. 50", the words and figures "Rs. 100" shall be substituted.

(b) In sub-rule (2) for the words "five rupees", the words "rupees ten" shall be substituted.

(5) In Schedule I—

(i) In column 5 against Article No. 1, for the words and figures "Re. 1", the words and figures "Rs. 2" shall be substituted.

(ii) In column 5 against Article No. 2, for the words and figures "Rs. 4", the words and figures "Rs. 8" shall be substituted.

(iii) In column 5 against Articles 3, 4, 5, 6 and 7 for the entries (a), (b), (c), (d), (e), (f) and (g), the following entries shall be substituted namely:—

#### *Non-dangerous Petroleum*

(a) When the quantity to be stored does not exceed five hundred gallons	Rs. 12
(b) When the quantity to be stored exceeds five hundred but does not exceed one thousand gallons	Rs. 20
(c) When the quantity to be stored exceeds one thousand but does not exceed five thousand gallons	Rs. 20 for the first one thousand gallons plus Rs. 5 for every additional one thousand gallons or part thereof.
(d) When the quantity to be stored exceeds five thousand but does not exceed fifty thousand gallons	Rs. 40 for the first five thousand gallons plus Rs. 8 for every additional one thousand gallons or part thereof.
(e) When the quantity to be stored exceeds fifty thousand gallons	Rs. 400 for the first fifty thousand gallons plus Rs. 50 for every additional twenty five thousand gallons or part thereof subject to a maximum of Rs. 750

#### *Dangerous petroleum*

(f) When the quantity to be stored or imported and stored does not exceed five hundred gallons	Rs. 12.
(g) When the quantity to be stored or imported and stored exceeds five hundred gallons	The same fees as those laid down for storage of non-dangerous petroleum.

(6) In Schedule II—

(1) In Form H, for the words and figures "Re.1", the words and figures "Rs. 2" shall be substituted.

(2) In Form I, for the words and figures "Rs. 4", the words and figures "Rs. 8" shall be substituted.

**No. P-104(2).**—In exercise of the powers conferred by section 4 and sub-section (1) of section 29 of the Petroleum Act, 1934 (XXX of 1934), as applied to the Carbide of Calcium by the notification of the Government of India, in the late Department of Industries and Labour, No. M-826 (1), dated the 15th October 1936, the Central Government is pleased to direct that the following further amendments shall be made in the Carbide of Calcium Rules, 1937,

the same having been previously published as required by sub-section (2) of section 29 of the said Act, namely:—

In the said Rules—

(1) In sub-rule (3) of rule 42, sub-rule (2) of rule 44, sub-rule (3) of rule 45, sub-rule (3) of rule 47 and sub-rule (2) of rule 48, for the words "one rupee", the words "rupees two" shall be substituted.

(2) In Schedule I for the existing entries in column 5, the following entries shall be substituted, namely:—

(a) When the quantity to be stored does not exceed 1,000 pounds	Rs. 6.
(b) When the quantity to be stored exceeds 1,000 pounds but does not exceed 5,000 pounds	Rs. 6 for the first 1,000 pounds plus rupees one for every additional 1,000 pounds or part thereof.
(c) When the quantity to be stored exceeds 5,000 pounds but does not exceed 50,000 pounds	Rs. 10 for the first 5,000 pounds plus rupees two for every additional 5,000 pounds or part thereof.
(d) When the quantity to be stored exceeds 50,000 pounds but does not exceed 75,000 pounds.	Rs. 30 for the first 50,000 pounds plus rupees four for every additional 10,000 pounds or part thereof.
(e) When the quantity to be stored exceeds 75,000 pounds.	Rs. 50 for the first 75,000 pounds plus rupees eight for every additional 20,000 pounds subject to a maximum of Rs. 150.

B. B. PAYMASTER, Dy. Secy.

#### ORDERS

*New Delhi, the 28th February 1950*

**No. 980-W-IV/50.**—Whereas the plot of land specified in the Schedule hereto annexed was requisitioned by order of the Government of India in the Department of Labour No. 5158/WII, dated the 10th October, 1945, until further orders of the Central Government,

And whereas the Central Government have now decided that the said plot of land shall be released from requisition with effect from 11th March, 1950.

Now, therefore, in exercise of the powers conferred by Sub-Section (I) of section 4 of the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947) the Central Government is pleased to specify Mr. Partosh Kumar Sarkar S/o. Mr. Upinder Kumar Sarkar as the person to whom possession of the said premises shall be given.

#### SCHEDULE

Plot No. 102 of R. S. Banarsi Das's Estate, Lucknow Road, Notified Area, Old Delhi measuring 897 sqr. yards bounded by open land belonging to the Military Department on the North, Lucknow Road on the West, Lancers Road on the South and Bungelow of R. S. Biswas, Timarpore Road, Assistant Superintendent of Health, Notified Area Committee, on the West.

To

Shri Partosh Kumar Sarkar,

C/o

Rai Sahib Banarsi Das and Sons,  
Government and Military Contractors,  
No. 35, The Mall, Delhi.

**No. 981-W-IV/50.**—Whereas the plot of land specified in the Schedule hereto annexed was requisitioned by order of the Government of India in the Department of Labour No. 5158/WII, dated the 10th October, 1945, until further orders of the Central Government,

And whereas the Central Government have now decided that the said plot of land shall be released from requisition with effect from 11th March, 1950.

Now, therefore, in exercise of the powers conferred by Sub-Section (I) of section 4 of the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947) the Central Government is pleased to specify Mr. Prabal Chandra Gupta, S/o Mr. Kiran Chandra Gupta as the person to whom possession of the said premises shall be given.

#### SCHEDULE

Plot No. 108 of R. S. Banarsi Das's Estate, Lucknow Road, Notified Area, Old Delhi measuring 861 sqr. yards



bounded by open land belonging to the Military Department on the North, Lucknow Road on the West, Lancers Road on the South and Bungalow of R. S. Biswas, Timarpore Road, Assistant Superintendent of Health, Notified Area Committee, on the West.

To

Shri Prabal Chandra Gupta,  
C/o

Rai Sahib Banarsi Das and Sons,  
Government and Military Contractors,  
No. 85, The Mall, Delhi.

**No. 982-W-IV/50.**—Whereas the plot of land specified in the Schedule hereto annexed was requisitioned by order of the Government of India in the Department of Labour No. 5168/WII, dated the 19th October, 1945, until further orders of the Central Government,

And whereas the Central Government have now decided that the said plot of land shall be released from requisition with effect from 11th March, 1950.

Now, therefore, in exercise of the powers conferred by Sub-Section (I) of section 4 of the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947) the Central Government is pleased to specify Rai Bahadur Mahesh Chandra, S/o Mr. Gopal Chandra, as the person to whom possession of the said premises shall be given.

#### SCHEDULE

Plot No. 109 of R. S. Banarsi Das's Estate, Lucknow Road, Notified Area, Old Delhi measuring 2241 sq. yards bounded by open land belonging to the Military Department on the North, Lucknow Road on the West, Lancers Road on the South and Bungalow of R. S. Biswas, Timarpore Road, Assistant Superintendent of Health, Notified Area Committee, on the West.

To

Rai Bahadur Mahesh Chandra,  
C/o

Rai Sahib Banarsi Das and Sons,  
Government and Military Contractors,  
No. 85, The Mall, Delhi.

S. K. GHOSHAL, Asstt. Secy.

### MINISTRY OF LABOUR

New Delhi, the 22nd February 1950

**No. LR-2(270)/I.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to publish the following award of the All-India Industrial Tribunal (Bank Disputes) in the matter of alleged victimisation, etc., in respect of Chartered Bank of India, Australia and China.

BEFORE THE ALL-INDIA INDUSTRIAL TRIBUNAL  
(BANK DISPUTES), BOMBAY  
ADJUDICATION

BETWEEN

Chartered Bank of India, Australia and China  
AND

Fram Jamshedji Patel

In the matter of alleged victimisation

Appearances

Counsel Mr. A. C. Beynon, for the Chartered Bank of India, Australia and China, Bombay.

Mr. S. S. Dighe, Advocate, for the Federation of Bank Employees, Bombay.

#### AWARD

The following case was heard at Bombay on the 4th January 1950. It was alleged by the Federation of Bank Employees, Bombay, that it was a case of victimisation.

Fram Jamshedji Patel of the Chartered Bank of India, Australia and China:

He was a clerk in the Chartered Bank of India, Australia and China. By an agreement dated 16th December 1938 the said Bank purchased the undertaking of the P. & O. Banking Corporation Ltd. The said agreement *inter alia* provided that the said Bank would fulfil all the contracts and engagements of the P. & O. Bank current at the date (other than contracts of employment subsisting between it and its officers and employees and its engagements, if any, in connection with any pension, provident or other funds or schemes instituted for the benefit of any such officers or employees). Consequent upon the purchase by the said Bank the P. & O. Bank gave notice on 19th January 1939 to all the employees terminating their engagements with

effect from the 28th February 1939. Thereafter the P. & O. Bank issued a circular which ran as follows: "Whilst it is impossible for the Chartered Bank to absorb all the staff, it is hoped that at least a portion of the local staff will be taken over by them. If any member can obtain employment before 31st January 1939, your Manager has been advised to give every assistance ... In cases where members of the P. & O. Bank are re-engaged by the Chartered Bank, it will only be possible at first to do so on a temporary basis, and full pay, on the terms agreed with the Chartered Bank, will be paid by the latter Institution for all work done on and after 1st February 1939. Should, however, any clerk be engaged permanently by the Chartered Bank after 1st February 1939, it will be a condition of his engagement, if 25 years of age or over, that all sums paid to the clerk by the P. & O. Bank:

(1) Salary for period of notice

(2) Balance of Provident Fund

shall be paid to the Chartered Bank, to be held in trust by that Institution for the benefit of the Clerk under a Scheme to be formulated later". Several employees of the P. & O. Bank were employed by the Chartered Bank on those conditions. The Award of Divatia J. which came into operation in April 1947 provided that the adjustment of the then existing salaries to the new scales to be paid under that award should be made in a manner which might give a fair rise to as many employees as possible, particularly old ones, consistent with their standing and their efficiency. He, therefore, directed that each big bank should make its own adjustment according to the observations made in his award and that if it was not generally acceptable to the employees the aggrieved parties might apply to the Court for its modification. Some employees of the P. & O. Bank in respect of whose salaries the adjustment was alleged to have not been made according to that direction applied before Divatia J., who made an order dated 19th December 1947 as follows: "As I find that some of the clerks have not received even a fair increment, I think that the adjustment granted for these clerks should be revised and that an increment of Rs. 30 should be given to clerks having 25 years' service and an increase of Rs. 25 to be given to clerks under 25 years' service". (This order was published in the *Bombay Government Gazette*, Part I, dated January 8, 1948 at page 127. The Bank not having adjusted the salaries in accordance with that order, those employees made an application, being Application No. 87 of 1948, before the First Labour Court which held that there was an illegal change within the meaning of Section 46 of the Bombay Industrial Relations Act. The Bank preferred an appeal against this decision to the Industrial Court, which on 11th October 1948 set aside that order on the ground that the provisions of Section 74(2) of the Bombay Industrial Relations Act had not been complied with and that the application was, therefore, incompetent. Consequently the said order was published by the Registrar as a supplementary award under provisions of the said Section 74(2), whereupon the aforesaid employees again made an application, being Application No. 7 of 1949, to the Second Labour Court under Section 78(1)(c) read with Section 46(5) of the Bombay Industrial Relations Act, 1946, for a declaration that the Bank had made an illegal change and for consequential relief. Patel who was in the service of the Chartered Bank gave evidence in favour of the applicants at the hearing of this application to prove that the service of these employees was a continuous one so that they would be entitled to the benefit of the said Award. He deposed that in a speech by Mr. Marrable, the Manager of the Chartered Bank, he had assured those employees of the continuity of their service. Another employee of the Chartered Bank, Ghadiali, also deposed to the same effect. In delivering judgment the learned judge of the Second Labour Court, remarked: "Both these witnesses seem to be so over enthusiastic for proving the case that they make many statements which are quite false. Mr. Patel says that Exhibit No. 29 which is dated 2nd August 1946 was read in the meeting held on 17th July 1946. He persists in making this statement even after the improbability is pointed out to him. He denies some of his statements made in the previous proceedings by saying that the record may be incorrect"; and the Court dismissed the application. Thereupon the Bank held proceedings against Patel under Rule 21 of the Model Standing Orders



for the Banking Industry and in accordance with Rule 22 thereof a charge sheet was given to Patel on 30th May 1949 when he was also suspended. He was given an opportunity to answer the charges and was permitted to be defended by his representative under Section 30 of the Bombay Industrial Relations Act. There were two charges against him: one was in respect of giving false evidence against the Bank, which according to the Bank, amounted to misconduct under sub-rules (iv) and (xiii) of Rule 21, and the other charge was that he had improperly obtained certain information about the names and adjustments of 19 persons from the Cash Department, knowing that the proper method would have been to approach the Court and ask that the Bank be directed to produce the information, and that he had unscrupulously persuaded another employee of the Bank to betray the confidence of the Bank and give him the said information. According to the Bank these acts amounted to misconduct under sub-rules (xvi) and sub-rule (xviii) of Rule 21. An enquiry was held into these charges and the Bank came to the conclusion that he was guilty of misconduct as contemplated by the said rule, and by an order dated 16th June 1949 he was dismissed without notice. This is the order that is challenged before us.

We must rule out the objection of the Bank that this Tribunal has no jurisdiction owing to the order of dismissal having been made on 16th June 1949, which was after the date of the Ordinance (the 13th June 1949) referring the dispute to this Tribunal. The order of suspension was made on 30th May 1949 and we must hold that the dispute between Patel and the Bank which ultimately resulted in the former's dismissal, arose or in any event was apprehended prior to the date of the Ordinance.

Mr. Dighe for Patel did not contest the finding of the judge of the Second Labour Court that the statements made by him were false. He did not deny that Patel had made the statement which was recorded by the Bank in course of the enquiry in connection with the information obtained by him as follows: "I know that the proper method would be for me to approach the Court and ask that the Bank be directed to produce the information. The witness volunteers: My waiting would have been too late. If I had gone to the Court it would have been too late, because I would have gone to the Court without the information. Question: Surely you had time to approach the Officer of the Bank to get the information. Answer: I am positive that the Bank would not have given me the information; on the contrary, they would have blamed me \* \* \* I had to persuade Mr. Hathiram to betray the confidence of the Bank and give me the information \* \* \* For this matter I had acted unscrupulously". Mr. Dighe, however, contended that the giving of false evidence did not constitute misconduct within the meaning of Rule 21. Now Rule 21 *inter alia* provides that the following acts and omissions on the part of an employee shall amount to misconduct: sub-rule (iv): abetting, conniving at or attempting or committing of, theft, fraud or dishonesty in connection with the business, property, or affairs of the Bank or its customers; sub-rule (xiii): doing any act, or engaging in any business prejudicial to the interests of the Bank.

Mr. Beynon on behalf of the Bank, has contended that the giving of false evidence in the Court amounted to dishonesty in connection with the affairs of the Bank within the meaning of sub-rule (iv) and that in any event it amounted to an act prejudicial to the interests of the Bank within the meaning of sub-rule (xiii). As to dishonesty, Mr. Beynon has contended that even if the word be given the meaning given under the Indian Penal Code, that is, an act intended to cause wrongful loss or wrongful gain, the object of Patel in making the statement was to induce the Court to hold that the service of the *ex-employees* of the P. & O. Bank was continued in the Chartered Bank and that, therefore, they were entitled to higher salaries in accordance with the directions of Divatia J., so that it can be said that there was an attempt to cause wrongful loss to the Bank and, therefore, also an act prejudicial to the interests of the Bank. We are of opinion that there is considerable force in Mr. Beynon's arguments, but it seems likely that the word "misconduct" in the Rule has been in its wider and more popular sense; and we feel we should be justified in holding that the giving of the false evidence amounted to misconduct within the scope of Rule 21.

With regard to the second charge, it has been admitted by Patel that he persuaded the Assistant Cashier Mr. Hathiram to betray the Bank's confidence and that he acted unscrupulously. This obviously comes within the provision of sub-rule (xvi) of Rule 21, being the commission of an act subversive of discipline or good behaviour on the premises of the Bank. The question that now arises is whether the order of dismissal was made by reason of this misconduct or whether the misconduct was utilised by the Bank for the purposes of getting rid of Patel, who was an active member and important office bearer of the Chartered Bank Employees' Union and the Federation of Bank Employees, Bombay and who took an active part in various proceedings, figuring either as an applicant or witness on behalf of the employees in the Labour Court. It has been stated by Mr. Beynon that the other witness Ghadiali who also gave false evidence was not discharged because he offered an apology. Patel was also asked, but refused, to offer an apology. The fact that Patel was given an opportunity to offer an apology suggests that if he had availed himself of it he would not, in all probability, have been dismissed. This sufficiently proves, in our opinion, that he has not been punished or victimised owing to his trade union activities. Accordingly we do not think that the order of his dismissal calls for interference by us.

K. C. SEN,  
*Chairman.*

BOMBAY,  
11th February 1950.

J. N. MAUMDAR,  
*Member.*

N. C. KUPPUSWAMI, Under Secy.

New Delhi, the 23rd February 1950

**No. PF. 15(9)/50.**—In exercise of the powers conferred by sections 3 and 5 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (XLVI of 1948), the Central Government is pleased to extend to the partially excluded areas of the state of West Bengal the Coal Mines Bonus Scheme and the Coal Mines Provident Fund Scheme published with the notifications of the Government of India in the Ministry of Labour, Nos. PF. 16(1)/48, dated the 3rd July 1948 and PF. 15(5)/48, dated the 11th December 1948, as modified by notifications Nos. PF. 23(1)/49, dated the 20th December 1949, and PF. 23(1)/50, dated the 16th January 1950.

S. MULLICK, Dy. Secy.

#### ORDER

New Delhi, the 22nd February 1950

**No. LR-2(255).**—Whereas an industrial dispute between the Asian Assurance Co. Ltd., Bombay, and its employees in its head office has been referred for adjudication to an Industrial Tribunal constituted by order of the Government of India in the Ministry of Labour No. LR-2(215)I, dated the 5th October 1949;

And whereas a further industrial dispute has arisen between the aforesaid parties, who have filed a joint application for reference of the dispute for adjudication to an Industrial Tribunal;

Now, therefore, in exercise of the powers conferred by section 7 read with sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to refer the said dispute, particulars whereof are given in the Schedule hereto annexed, to the said Tribunal for adjudication.

#### THE SCHEDULE

##### DEMANDS

**Demand No. 1.—Scales of Pay.**

(a) Heads of Sections	250—20—450	10 years.
(b) Assistants	150—15—375	15 "
(c) Steno-typists	125—15—350	15 "
(d) Clerks & Typists	90—10—190; 190—15—325.	25 years.

Typists should be paid as machine allowance Rs. 10.

(e) Recordors	65—5—115; 115—7—150.	15 years.
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Grade (e) applicable to sepoy ONLY on promotion.

(f) Sepoys & Liftmen	50—4—90; 90—5—115.	15 years.
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Havildars should be paid Rs. 10 and liftmen Rs. 15 more than sepoy.

When fixing the new grade in different categories no one should be paid lower than the starting salary of the category concerned. When the salaries of the old employees

are to be fitted into the new salary scales the employees should be given a rise according to the exact number of years of service, *i.e.*, the existing salaries should be adjusted on a point to point basis. The seniority which some employees have already been given should not be reduced.

**Acting Allowances and Promotions.**—1. A junior clerk who acts in the place of an Assistant should be paid an acting allowance of Rs. 25 per month.

2. An Assistant who acts in the place of a sectional Head should be paid an acting allowance of Rs. 20 per month.

Vacancies for higher posts should be filled from amongst the members of the staff.

**Demand No. 2.—Dearness Allowance.**—Dearness allowance should be paid with retrospective effect from 1st August 1948 as follows:—

A flat monthly rate of Rs. 45 for clerks and Rs. 40 for sepoys.

Though the employees had demanded Rs. 35 per month as Dearness allowance from 1st January 1947 the Company has paid as Dearness allowance Rs. 30 per month only from 1st January 1947. All employees should, therefore, be paid the difference of Rs. 5 per month from 1st January 1947 to 31st July 1948.

**Demand No. 3.**—A Bombay allowance of Rs. 10 per month should be paid to every employee.

**Demand No. 4.—Gratuity.**—The Union submits that one month's salary for every year of service with the maximum of 15 months' salary should be paid after ten years of service. The principle of paying gratuity in addition to the Provident Fund in Industrial and commercial concerns has been well recognised by the Bombay Industrial Court and by Adjudicators. That the Company should refuse to admit this already established principle only speaks for the extremely unenlightened and narrow outlook of its present management. It is also submitted that gratuity should be paid when employees retire, die or leave the company or retrenched or disabled.

**Demand No. 5.—Bonus.**—A bonus equal to one month's salary should be paid to every employee for the years 1946, 1947 and 1948.

The Company should also pay bonus equal to two months' salary to every employee every year in future.

**Demand No. 6.**—The Company should supply three sets of uniforms, two pairs of foot-wear and one umbrella in a year to all the sepoys.

Those sepoys detailed on outdoor work should be insured against risk of accident. They should be provided with cycles.

At the present the Company has no fixed period to equip the peons with the necessary uniforms. It is submitted that the Company should be ordered to grant this demand.

**Demand No. 7.—Hours of Work.**—The hours of work should be from 10 A.M. to 5 P.M. with a recess of one hour on week days and from 10 A.M. to 1 P.M. on Saturdays.

**Demand No. 8.—Over-time Allowance.**—No employee should be required to work before or after office hours, on Sundays or holidays. But should such a contingency

arise due to extraordinary circumstances an employee should be paid @  $1\frac{1}{2}$  the wages.

Employees living beyond Thana and Borivli should be given a concession of ten minutes for attending the office.

**Demand No. 9.—Insurance.**—Employees should be given a reduction in premium equal to 33·1 per cent. subject to a maximum sum assured of Rs. 10,000.

**Demand No. 10.**—All employees should be entitled to leave according to the following rules:

(a) Privilege Leave: One month

(b) Casual Leave: Ten days.

Casual leave should be allowed to be prefixed or suffixed to holidays.

(c) **Sick Leave.**—On the production of a Medical Certificate an employee should be entitled to sick leave upto a period of six months on full pay and a further period of 3 months on half pay.

**Demand No. 11.—Defence.**—The Union demands that (a) every employee should be given an opportunity to defend himself either personally or through a Union representative, when an enquiry is instituted in respect of any offence alleged to have been committed by him. In no case should an employee be dismissed or discharged or otherwise punished without proper enquiry and such an opportunity to show cause.

(b) The Union affirms that an employee who is dishonest, disloyal or who shirks work should certainly be brought to book. But, in all fairness, he should be given an opportunity to defend himself. The Union desires to bring to the notice of the Honourable Tribunal that two employees have been summarily dismissed with 24 hours' notice from the service of the Company without any inquiry and without the opportunity of appeal.

**Demand No. 12.—General Privileges.**—(a) No employee should be transferred from one Department to another if such transfer is detrimental to his interest or to the interest of an employee in the Department to which he is being transferred.

(b) **Canteen.**—The Company should give every facility for the smooth and efficient running of the existing canteen.

(c) Temporary staff should be confirmed after three months in all cases.

**Demand No. 13.—Existing Privileges.**—The demands put forward as aforesaid when awarded shall not prejudice the existing conditions of employment of any employee or group of employees.

The employees crave leave to add to, alter, amend or modify the above statement.

General Secretary,

Asian Assurance Employees' Union, Bombay.

Dated at Bombay this 1st day of August 1949.

S. C. AGGARWAL, Dy. Secy.